

EXHIBIT 1

for

For Federal Criminal/Civil case -- BRIEF /
MEMORANDUM OF LAW AND ATTACHED
EXHIBITS IN SUPPORT OF THE PETITIONER'S
MOTION TO VACATE, SET ASIDE, OR CORRECT A
SENTENCE BY A PERSON IN FEDERAL
CUSTODY. MOTION UNDER 28 U.S.C. § 2255
by Brian David Hill

Ally of Q, Former news reporter of USWGO Alternative News
JUSTICEFORUSWGO.WORDPRESS.COM



WARRANT OF ARREST—MISDEMEANOR (LOCAL)

COMMONWEALTH OF VIRGINIA Va. Code § 19.2-71, -72

Martinsville
CITY OR COUNTY

- General District Court Criminal Traffic
 Juvenile and Domestic Relations District Court

Martinsville City County Town

TO ANY AUTHORIZED OFFICER:

You are hereby commanded in the name of the Commonwealth of Virginia forthwith to arrest and bring the Accused before this Court to answer the charge that the Accused, within this city or county, on or about 09/21/2018 did unlawfully in violation of Section

DATE

13-17/18.2-387

, Code or Ordinances of this city, county or town:
intentionally make an obscene display of the accused's person or private parts in a public place or in a place where others were present.

I, the undersigned, have found probable cause to believe that the Accused committed the offense charged, based on the sworn statements of

SGT. R.D. JONES MPD, Complainant.

Execution by summons permitted at officer's discretion. not permitted.

09/21/2018 05:35 AM

DATE AND TIME ISSUED

CLERK MAGISTRATE JUDGE
Courtney D. Reid

*Courtney D. Reid
Appealed
Please Remove*

WITNESS may be required

VIRGINIA
of Martinsville Circuit Court
Clark's Office.
Received and Filed this the
29 Day of January 2019
at 12:21 P.M.
Tested: Audit A

TC DNA SAMPLE (an entire)

L
9-21-18
4:00 PM
Hearing Date/Time
10-05-18 (BHD)
9:00 AM
12-21-18
TO USE A

CASE NO. <u>C18-3158</u>							
ACCUSED: <u>Hill, Brian David</u> LAST NAME, FIRST NAME, MIDDLE NAME							
310 Forest St Apt 2 ADDRESS/LOCATION <u>Martinsville, VA 24112</u>							
To be completed upon service as Summons Mailing address <input type="checkbox"/> Same as above <input type="checkbox"/>							
RACE	SEX	BORN	HT.	WGT.	EYES	HAIR	
W	M	MO. DAY YR.	FT. IN.	150	BLU	BRO	SSN <u>0319</u>
DL# <input type="checkbox"/> STATE							
<input type="checkbox"/> Commercial Driver's License							
CLASS <u>1 MISDEMEANOR</u>							
<input type="checkbox"/> EXECUTED by arresting the Accused named above on this day: <input type="checkbox"/> EXECUTED by summoning the Accused named above on this day: <input type="checkbox"/> For legal entities other than individuals, service pursuant to Va. Code § 19.2-76.							
9/21/18 0538 DATE AND TIME OF SERVICE							
R Jones, ARRESTING OFFICER							
22 <u>MJ</u> 113 BADGE NO., AGENCY AND JURISDICTION							
for SHERIFF							
Attorney for the Accused: <u>Prob. Def.</u>							
Short Offense Description (not a legal definition): INDECENT EXPOSURE							
Offense Tracking Number: 690GM1800003560							
FOR ADMINISTRATIVE USE ONLY							
Virginia Crime Code: OBS-3713-O1							

LOCAL

EXHIBIT PAGE 3 OF 115

The Accused was this day:

tried in absence present

PROSECUTING ATTORNEY PRESENT (NAME)

DEFENDANT'S ATTORNEY PRESENT (NAME)

NO ATTORNEY ATTORNEY WAIVED
 If convicted, no jail sentence will be imposed

INTERPRETER PRESENT

Certified pursuant to § 19.2-190.1.

Plea of Accused:

not guilty Witnesses sworn

nolo contendere

guilty Plea voluntarily and intelligently entered after the defendant was apprised of his right against compulsory self-incrimination and his right to confront the witnesses against him.

Plea and Recommendation

And was TRIED and FOUND by me:

not guilty guilty as charged

guilty of
VCC

facts sufficient to find guilt but defer adjudication/disposition to

DATE AND TIME

and place accused on probation, §§ 4.1-305, 18.2-57.3, 18.2-251 or 19.2-303.2.

A separate order for First Offender is attached and incorporated in this order.

Costs imposed upon defendant.

DATE JUDGE

And was FOUND by me to be:

driving a commercial motor vehicle
 carrying hazardous materials

I ORDER a nolle prosequi on prosecution's motion

I ORDER the charge dismissed with prejudice

conditioned upon payment of costs and

successful completion of

traffic school

mature driver school, § 16.1-69.48:1,

accord and satisfaction, § 19.2-151.

under §§ 4.1-305, 18.2-57.3, 18.2-251 or 19.2-303.2.

Guilty – upon a violation of a term or condition of a deferred adjudication/disposition.

I impose the following Disposition:

FINE CIVIL PENALTY of \$
with \$ suspended

JAIL SENTENCE of 30 days imposed, of which days mandatory minimum, with suspended for a period of conditioned upon being of good behavior, keeping the peace, obeying this order and paying fines and costs. Credit is allowed pursuant to § 53.1-187 for time spent in confinement.

Serve jail sentence beginning
 on weekends only

Work release authorized if eligible required
 not authorized

Public work force authorized not authorized
 on PROBATION for

VASAP local community-based probation agency
 Monitoring by GPS/other tracking device

DRIVER'S LICENSE suspended for

Restricted Driver's License per attached order

Ignition Interlock for

RESTITUTION order incorporated

Restitution payment is a condition of suspended sentence

COMMUNITY SERVICE hours to be completed by

and supervised by
 to be credited against fines and costs

Contact prohibited between defendant and victim/ victim's family or household members

Other:
.....

Reimburse Commonwealth for investigatory medical fees

Pay \$50 to the Court for Trauma Center Fund

Bail on Appeal \$

Remanded for CCRE Report

DRIVER'S LICENSE/PRIVILEGE TO DRIVE IN VIRGINIA SUSPENDED EFFECTIVE IN 30 DAYS IF FINES, COSTS, FORFEICTIONS, PENALTIES OR RESTITUTION ARE NOT PAID. Va. Code § 46.2-395.

12-26-2015

DATE

JUDGE

Offense Tracking Number: 690GM1800003560

FINE

\$
LOCALITY

COSTS

223 LIQUIDATED DAMAGES
61.00

461 FIXED MISD FEE
61.00

462 FIXED DRUG MISD FEE
15.00

001 INT CRIM CHILD FEE
15.00

113 WITNESS FEE
38.00

113 IGNITION INTERLOCK
15.00

113 DUI FEE
38.00

113 DRIVERS
233

121 TRIAL IN ABSENCE FEE
15.00

133 BLOOD TEST FEE
10.00

137 TIME TO PAY
10.00

192 TRAUMA CENTER FEE
120.00

202 WITNESS FEE
120.00

217 CT. APPT. ATTY
120.00

228 COURTHOUSE CONSTRUCTION FEE
25.00

234 JAIL ADMISSION FEE
10.00

243 LOCAL TRAINING ACADEMY FEE
10.00

244 COURTHOUSE SECURITY FEE
10.00

OTHER (SPECIFY): 241
5.00

TOTAL \$ 299.00

Stay of the proceedings pursuant to § 16.1-131.1

2

CRIMINAL COMPLAINT

Commonwealth of Virginia

Martinsville

CITY OR COUNTY

RULES 3A:3 AND 7C:3

- General District Court
 Juvenile and Domestic Relations District Court

Under penalty of perjury, I, the undersigned Complainant swear or affirm that I have reason to believe that the Accused committed a criminal offense, on or about

09/21/2018 in the City County TownDATE OFFENSE OCCURRED
of Martinsville

I base my belief on the following facts: (Print ALL information clearly.)

On the above date I responded to the area of Pine St. at the steps for the Dick and Willie Trail due to a naked white male that had been seen running on Hooker St from Church St. Officers were in the area of Hooker St and had not located the male. I walked down the steps to the trail where i herd foot steps coming towards me. I could see a person walking on the trail and they stopped. I signed my light on the male and he turned and ran. He was naked except for his shoes and socks. The male had items in his hand when he ran. I chased the suspect off the left side of the trail down a bank and into the creek. I was yelling stop and show me your hands during the chase. When the male was detained he was read Miranda and started talking about a black male in a hoodie made him get naked and take pictures of himself. He was transported to the hospital due to knee pain. While at the Hospital he stated that he was alone when he took the photos of himself and he gave Ofc. Warnick premising to view his camera. On the Camera was several photo of himself naked around the city. He was medically and psychologically cleared. He was arrested for indecent Exposure. Mr. Hill's clothing was located in his bag. All took place in the city.

The statements above are true and accurate to the best of my knowledge and belief.

In making this complaint, I have read and fully understand the following:

By swearing to these facts, I agree to appear in court and testify if a warrant or summons is issued.

The charge in this warrant cannot be dismissed except by the court, even at my request.

Sgt. R. Jones #220

NAME OF COMPLAINANT (LAST, FIRST, MIDDLE)
(PRINT CLEARLY)

Subscribed and sworn to before me this day.



SIGNATURE OF COMPLAINANT

[] CLERK [] MAGISTRATE [] JUDGE

x

09/21/2018 05:35 AM

Courtney D. Reid

CRIMINAL COMPLAINT

ACCUSED: Name, Description, Address/Location

Hill, Brian David

LAST NAME, FIRST NAME, MIDDLE NAME

310 Forest St Apt 2

Martinsville, VA 24112

COMPLETE DATA BELOW IF KNOWN							
RACE	SEX	BORN	HT.	WGT.	EYES	HAIR	
W	M	Mo. <input type="text"/> DAY <input type="text"/> YR. 90	FT. 6	IN 0	150	BLU BRN	
SSN <input type="text"/> -0319 <input type="text"/>							

[] Complainant is not a law-enforcement officer or animal control officer. Authorization prior to issuance of felony arrest warrant given by

- [] Commonwealth's attorney
 Law-enforcement agency having jurisdiction over alleged offense

NAME OF PERSON AUTHORIZING ISSUANCE OF WARRANT

DATE AND TIME AUTHORIZATION GIVEN

13-17 Indecent Exposure